OCT 5 2017

OFFICE OF THE CLERK



## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF THE INSTALLATION AND MONITORING OF A TRACKING DEVICE IN OR ON A BLACK, PONTIAC G6, NEBRASKA LICENSE PLATES VIL360, VIN 1G2ZG558564169757

8:17MJ297

**ORDER** 

WHEREAS an Affidavit has been presented to the Court by federally deputized SA Zach Wimer, U.S. Department of Homeland Security, Homeland Security Investigations (HSI), and full consideration having been given to the matters set forth therein, this Court finds that there is probable cause to install and continue the use of a tracking device in or on a vehicle described as a black, Pontiac G6, assigned Vehicle Identification Number 1G2ZG558564169757, currently bearing Nebraska license plate number VIL360 ("the target vehicle"), and that the use of such tracking device will lead to evidence, fruits, and instrumentalities of one of more violations of 21 U.S.C. § 841 and 846.

Further, this ORDER incorporates by reference the original Warrant issued on August 24, 2017. It is HEREBY ORDERED that any authorized law enforcement officers may continue the use of the tracking device, and that entry into the target vehicle may be necessary without approval or knowledge of the owner, custodian, or user of the vehicle or property for installing, maintaining, and removing the tracking device.

It is further ORDERED that to install, maintain, or remove the device, any authorized law enforcement officer may enter into the target vehicle at any time in the day or night because good cause has been established.

Further, incorporating by reference the Attached Affidavit, the Court finds that a refreshed/updated showing of probable cause has been make based upon the additional facts as set forth therein.

Further, pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property or object, will be tracked

If is HEREBY ORDERED that any authorized law enforcement officer is authorized to continue use the of the tracking device, incorporating by reference and move said vehicle to effect the installation, maintenance, and removal of the tracking device.

It is further ORDERED that said Special Agents and their authorized representatives are authorized, for a period of 45 days from the date the warrant is issued, to monitor the tracking device installed in or on the subject vehicle, including when the subject vehicle is inside any private garage or other location not open to the public or visual surveillance, both within and outside the District of Nebraska.

It is further ORDERED that the executing officer return this warrant to the undersigned Magistrate Judge within 10 calendar days after the use of the tracking device has ended.

It is further ORDERED that this warrant and the accompanying affidavit/application submitted in support thereof, as they reveal an ongoing investigation, be sealed until further Order of the Court in order to avoid premature disclosure of the investigation, guard against the flight of fugitives, and better ensure the safety of agents and others, except that copies of the warrant in full or redacted form may be maintained by the United States Attorney's Office, and may be served on Special Agents and other investigative and law enforcement officers of the Department of Homeland Security, Homeland Security Investigations (HSI), federally deputized state and local law enforcement officers, and other government and contract personnel acting

under the supervision of such investigative or law enforcement officers, as necessary to effectuate the warrant; and

It is further ORDERED, in accordance with 18 U.S.C. 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), that notification of the execution of this order be delayed for a period of 30 days after the end of the authorized period of tracking (including any extensions thereof) because there is reasonable cause to believe that providing immediate notification would seriously jeopardize the investigation.

Dated: October 5, 2017

SUSAN M. BAZIS

UNITED STATES MAGISTRATE GUDGE

NOW ON THIS \_\_\_\_ day of October, 2017, this matter comes on before this Court upon the United States' Motion to Extend. The Court finds the Motion should be granted and it is hereby so ordered.

BY THE COURT:

SUSAN M. BAZIS

United States Magistrate Judge